

Message Text

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PAGE 01 SAN SA 04419 072215Z

70 60

ACTION ARA-10

INFO OCT-01 ISO-00 SS-15 NSC-05 L-02 STR-01 AID-05 CIAE-00

COME-00 EB-04 FRB-01 INR-05 NSAE-00 RSC-01 TRSE-00

XMB-02 OPIC-03 SP-02 CIEP-01 OMB-01 DOTE-00 DODE-00

PM-03 H-01 PA-01 PRS-01 USIA-06 /071 W

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R 072145Z NOV 74

FM AMEMBASSY SAN SALVADOR

TO SECSTATE WASHDC 6784

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EO 11652: N/A

TAGS: ELTN EINV BEXP ES

SUBJ: GOES TAKEOVER OF IRCA

REF: A. SS 4058, B. SS 4234; C. STATE 238266

1. DURING A NOVEMBER 1 CALL, ACTING FOREIGN MINISTER DR. RICARDO CASTANEDA REFERRED TO THE IRCA CASE AND APOLOGIZED FOR HAVING MISLEAD ME CONCERNING THE GOVERNMENT'S ASSUMPTION OF IRCA'S LIABILITIES (SEE REFTEL A). HE EMPHASIZED HE HAD NOT BEEN PRIVY TO THE GOVERNMENT'S PLANS CONCERNING IRCA AND BECAME INVOLVED ONLY DUE TO THE ABSENCE OF FOREIGN MINISTER BORGONOVO. HE HAD LEFT THE PRESIDENT'S OFFICE OCTOBER 3, WITH INSTRUCTIONS TO ADVISE ME OF THE GOVERNMENT'S DECISION TO CANCEL THE IRCA CONCES- SION, WITH THE MISTAKEN IMPRESSION THAT THE REVERSION TO THE STATE OF IRCA PROPERTIES IMPLIED ASSUMPTION OF ITS DEBTS. I EXPRESSED MY GRATITUDE FOR HIS EXPLANATION AND ASSURED HIM I UNDERSTOOD THE CIRCUMSTANCES. COMMENT: THIS PROFOUND APOLOGY BY CASTANEDA REINFORCES MY BELIEF IN HIS INTEGRITY AND I REJECT ANY NOTION THAT HE DELIBERATELY TRIED TO DECEIVE US ON THE MATTER.

2. THE ABOVE DISCUSSION PROVIDED AN OPPORTUNITY TO CLARIFY
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THE LEGAL POINTS CONVEYED IN REFTEL C. I, AND THE DCM IN A

SUBSEQUENT CONTACT WITH CASTANEDA NOVEMBER 2, DISTINGUISHED BETWEEN LOCAL LEGAL REMEDIES AND LEGAL RESPONSIBILITY UNDER INTERNATIONAL LAW, SPECIFICALLY SAYING THAT A "DAY IN COURT" WITH ONLY A SEMBLANCE OF JUSTICE COULD BE CONSIDERED A DENIAL OF JUSTICE BY OUR GOVERNMENT. HE UNDERSTANDS THAT IN TERMS OF APPLICABLE INTERNATIONAL LEGISLATION A DETERMINATION BY SALVADORAN COURTS OR GOES ADMINISTRATIVE PROCEDURES IS NOT NECESSARILY DEFINITIVE. APART FROM THE LANGUAGE IN PARA. 2 REFTEL B WE BELIEVE OUR PRIOR CONVERSATIONS WITH OFFICIALS (E.G. LABOR MINISTER CHAVEZ, CEPA MANGER ROCHAC) CENTRAL TO THE IRCA CASE HAVE CONVEYED THE IDEA OF MINIMUM INTERNATIONAL STANDARDS AS REGARDS COMPENSATION AND THE NEED FOR REAL LEGAL REMEDIES.
CAMPBELL

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Message Attributes

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